THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 14066 of 2005

Oral order:

The petitioner who is working with the respondents-Singareni Collieries Company Limited, has filed this writ petition praying for the following reliefs:

To issue an order, direction or writ in the nature of Writ of Mandamus or any other appropriate writ (i) declaring the action of the respondents in not allotting the quarter as per Circular dated 16.6.1997 to the petitioner as illegal and arbitrary; (ii) declare that the proceedings No.YLD/JKS/W/002/1921, dated 17.6.2004 as illegal and arbitrary; (iii) declare the action of the respondents in allotting the quarter to respondent No.3 as illegal and arbitrary; (iv) declare the action of the respondents in recovery of penal rent of Rs.4,500/- from the salary of the petitioner as illegal and unjust though the petitioner is entitled to quarter as per his seniority; (v) and consequently direct the respondents to allot Quarter No. D-45, J.K. Colony, Yellandu Area or in any other place to which he is entitled to on par with his juniors and pass such other order or orders as the Hon'ble Court deems fit and proper in the facts and circumstances of the case.

The respondents filed counter stating that the petitioner who has been in illegal occupation of the quarter in question, vacated the same on 06.10.2005 after filing the writ petition. The learned counsel for the petitioner admitted that the petitioner vacated the quarter. He, however, submitted that the respondents be directed to allot him quarter in accordance with the seniority. The learned Standing Counsel for the respondents expressed no objection to the respondents allotting quarter to the petitioner as per the seniority.

In view of the agreed stand taken by both the counsel,

I deem it appropriate to dispose of the writ petition with the following directions:

The respondents are directed to consider the case of the

petitioner for allotment of quarter as per the seniority and in accordance with the guidelines framed for allotment of quarters thereto.

Accordingly, the writ petition is disposed of. No costs.

N.V. RAMANA, J.

Dated: 2nd November, 2007.
KSR